

House Bill 519 (AS PASSED HOUSE AND SENATE)

By: Representatives Geisinger of the 48th, Lindsey of the 54th, Fleming of the 117th, Powell of the 29th, Chambers of the 81st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties and municipal corporations, so as to provide for
3 legislative findings; to provide for the transferability of certificates of public necessity and
4 convenience and medallions for taxicabs; to provide for certain uses of such certificates and
5 medallions with regard to loans; to provide for related matters; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general
10 provisions applicable to counties and municipal corporations, is amended by adding a new
11 Code Section 36-60-25 to read as follows:

12 "36-60-25.

13 (a) Each county and municipal corporation may require the owner or operator of a taxicab
14 or vehicle for hire to obtain a certificate of public necessity and convenience or medallion
15 in order to operate such taxicab or vehicle for hire within the unincorporated areas of the
16 county or within the corporate limits of the municipal corporation, respectively, and may
17 exercise its authority under Code Section 48-13-9 to require such owners or operators to
18 pay a regulatory fee to the county or municipal corporation. The General Assembly finds
19 and declares that any county or municipality exercising the powers granted in this Code
20 section is legitimately concerned with the qualifications and records of drivers of taxicabs
21 and other vehicles for hire; with the location, accessibility, and insured state of companies
22 operating taxicabs and other vehicles for hire; and with the safety and comfort of taxicabs
23 and other vehicles for hire. Without limitation, each such county or municipality may
24 exercise the powers granted in this Code section by ordinance to the same extent as the
25 ordinances reviewed by the Georgia Court of Appeals in the case of Hadley v. City of

1 Atlanta, 232 Ga. App. 871, 875 (1998), and each certificate of public convenience and
2 necessity issued under those ordinances shall remain in full force and effect.

3 (b) Each certificate of public necessity and convenience or medallion issued at any time
4 by a county or municipal corporation shall be fully transferable pursuant to a purchase, gift,
5 bequest, or acquisition of the stock or assets of a corporation to any person otherwise
6 meeting the requirements of the applicable local ordinance. Each such certificate of public
7 necessity and convenience or medallion may be used as collateral to secure a loan and each
8 lending institution making such a loan shall have all rights of secured parties with respect
9 to such loan."

10 **SECTION 2.**

11 All laws and parts of laws in conflict with this Act are repealed.